

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Carmen D. Fusca,

**Debtor,**

Carmen D. Fusca,

**Movant,**

**vs.**

No Respondent.

) Case No. 16-23697 CMB

) Chapter 11

)

) Hearing Date: 11/08/16/@ 2:30 p.m.

) Response Due: 10/24/16

) Related to:

) Document No. 8

**ENTERED BY DEFAULT**

**ORDER APPROVING COUNSEL FOR THE DEBTOR**

**AND NOW**, this 25th day of October, **2016**, upon consideration of the **Motion for Approval of Attorneys (Motion to Employ Counsel)** filed at Document No. 8, it is **ORDERED, ADJUDGED and DECREED** as follows:

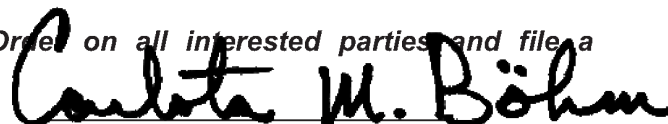
(1) **David Z. Valencik, Calaiaro Valencik, 428 Forbes Avenue, Suite 900, Pittsburgh, PA 15219** is/are hereby appointed, as of the date of filing the *Motion*, as Attorney(s) for Debtor in this bankruptcy proceeding for the reasons set forth in the *Motion*.

(2) Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based not only on the amount involved and the results accomplished, but other factors as well, including: the time and labor reasonably required by counsel, the novelty and difficulty of the issues presented, the skill requisite to perform the legal service properly, the preclusion of other employment due to acceptance of this case, the customary fee, whether the fee is fixed or contingent, the time limitations imposed by the client or the circumstances, the experience, reputation and ability of the attorneys involved, the undesirability of the case, the nature and length of the professional relationship with the client, and, awards in similar cases.

(3) Approval of any motion for appointment of counsel in which certain fees are requested for various identified professionals is not an agreement by the Court to allow such fees at the requested hourly rates, and is not a preapproval of compensation pursuant to 11 U.S.C. §328(a). Final compensation, awarded only after notice and hearing, may be more or less than the requested hourly rates based on application of the above-mentioned factors in granting approval by Court Order. **Any retainer paid to the Attorney is unaffected by this Order and remains property of the Estate until further order of Court.**

(4) Notwithstanding anything to the contrary in the letter of engagement or agreement between Movant and the Attorney, this *Order* does not authorize the Attorney to retain or pay any outside counsel or other professional to assist Attorney in this matter unless such is done at no expense to Movant, directly or indirectly. Any other retention of, and payment to, an outside counsel or other professional is subject to prior approval of the Court.

(5) **Movant shall serve the within Order on all interested parties and file a certificate of service.**

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

**kmt**

FILED  
10/25/16 5:03 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**Certificate of Notice Page 2 of 2**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Carmen D. Fusca  
Debtor

Case No. 16-23697-CMB  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: kthe  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 25, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 27, 2016.

db #+Carmen D. Fusca, 4 Imperial Court, Pittsburgh, PA 15215-1036

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 27, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 25, 2016 at the address(es) listed below:

David Z. Valencik on behalf of Debtor Carmen D. Fusca dvalencik@c-vlaw.com,  
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com  
Joseph A. Fidler on behalf of Creditor Enterprise Bank jfidler@enterprisebankpgh.com  
Joshua I. Goldman on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmlawgroup.com  
Larry E. Wahlquist on behalf of U.S. Trustee Office of the United States Trustee  
larry.e.wahlquist@usdoj.gov  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

TOTAL: 6